

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Cinemas-Nizamabad District- M/s Pavan Talkies – Appeal Petition against the orders of the Licensing Authority, Nizamabad District suspending the license of the Theatre - Modified Orders- Issued

HOME (GENERAL.A) DEPARTMENT

G.O.Ms.No.204

Dated: 10-10-2008.

Read the following: -

1. Appeal Petition filed by Sri B. Hanumanth Reddy
M/s Pavan Talkies, Nizamabad District, dated 31.07.2008.
2. Govt. Memo.No.15020/Genl.A1/2008-3, dated 07-08-2008.
3. From the Joint Collector, Nizamabad,
Letter.No.C1/188/2008-M, dated 30.08.2008.

-0-

ORDER:

In the reference 1st read above, Sri B.Hanumanth Reddy, M/s Pavan Talkies, Nizamabad District, has filed an appeal petition before the Government against the Orders of revoking the licence of M/s Pavan Theatre by the Licensing Authority, Nizamabad. Among others, the following are the contentions raised by the appellant in the Appeal filed before the Appellate Authority.

2. The Joint Collector/Licensing Authority has revoked the License basing on the complaint filed by the Police Authorities only, not given proper opportunity to the Licensee to defend the case fully, the Joint Collector/Licensing Authority is not competent to record the evidence, the appellant's request for transfer of the case to some other authority is not conceded to etc.

3. Upon filing of the appeal by the appellant, a detailed report along with the relevant records and documents, on the said appeal had been called for from the Joint Collector/Licensing Authority. Accordingly, the Joint Collector/Licensing Authority, Nizamabad vide reference third read above, had submitted a detailed report along with the copies of supporting documents.

4. An hearing was conducted by the Appellate Authority on 23-9-2008 during which the appellant was present along with his Counsel. The Appellate Authority heard the version of the appellant and his Counsel.

5. On verifying the detailed report and relevant records sent by the Joint Collector/ Licensing Authority, it is noticed that M/s Pavan Talkies, Nizamabad, belonging to the appellant, had violated the conditions of the license under rule 12 of the Form-B of Andhra Pradesh Cinemas (Regulation) Rules, 1970, as the licensee shall not

exhibit any film other than certified as suitable for public exhibition as certified by the Censor Board. The report of the Sub-Divisional Police Officer, Nizamabad, dated 18-04-2008 and 07-07-2008, the report of the Regional Officer, Central Board of Film Certification, Hyderabad, dated 26-06-2008, goes to establish that the appellant's Theatre had violated conditions of the License under Rule 12 of Form-B of A.P. Cinemas (Regulation) Rules, 1970.

6. In the circumstances referred to above, the Appellate Authority, i.e., Government, after careful examination of the issue, in exercise of the powers conferred under section 10 (4) of A.P. Cinemas (Regulation) Act, 1955, hereby modify the punishment of revocation of license levied by the Joint Collector/Licensing Authority, Nizamabad, and impose a penalty of Rs.10, 000/- (Rupees ten thousand only) on the management of M/s Pavan Talkies, Nizamabad.

7. The District Collector and Licensing Authority, Nizamabad District, is directed to consider reviving the License Theatre on receipt of application of the Management along with remittance of the fine amount of Rs.10,000/- to Government Account and intimate the action taken to Government.

8. The Records of the Joint Collector and Licensing Authority, Nizamabad, are returned herewith, and the same may be acknowledged immediately.

9. Copy of this order is available on Internet and can be accessed at address <http://www.ap.gov.in/goir>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The District Collector & Licensing Authority,
Nizamabad.W.Es)
The Joint Collector, Nizamabad District.
Copy to Sri B.Hanumanth Reddy,
M/s Pavan Talkies, Nizamabad District.
Copy to the P.S. to Minister for (Cinematography).
Copy to P.S to Principal Secretary, Home Department,
SF/SC.

//FORWARDED: BY ORDER//

SECTION OFFICER.